

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY KENNEY,)	
)	
Plaintiff,)	C.A. No. 12-551
)	
v.)	
)	
CITY OF PITTSBURGH, CHIEF OF POLICE)	
NATHAN HARPER, OFFICER MATTHEW)	
TURKO and OFFICER ROBERT SMITH,)	<u>JURY TRIAL DEMANDED</u>
)	
Defendants.)	

PLAINTIFF'S 2ND MOTION FOR ATTORNEY'S FEES

AND NOW COMES Plaintiff, by and through his undersigned counsel, to allege and move this Court as follows:

- 1) On July 16, 2014, the jury empaneled in this case entered a verdict for Plaintiff against Defendants Turko and Smith and awarded Plaintiff compensatory and punitive damages.
- 2) On August 8, 2014, judgment was entered in favor of Plaintiff against both Defendants in the amount of \$5000 in compensatory damages, \$25,000 in punitive damages against Smith and \$75,000 in punitive damages against Turko.
- 3) On September 5, 2014, Defendants Filed a Motion to Reduce Excessive Punitive Damages Award, in which Defendants requested that the Punitive Damages award be reduced to \$10,000.
- 4) Plaintiff's Counsel was required to expend substantial time in connection with this Motion including drafting a responsive brief and attending a status conference

held by this Court. Please see time sheet attached as Exhibit 1 reflecting a portion of the time expended by Plaintiff's Counsel.

5) Following an October 21, 2014, status conference, the Parties filed a Joint Motion for Addittur and Remittitur.

6) On October 27, 2014 this Court granted the Parties' motion and entered Judgment in favor of Plaintiff in the amount of \$50,000 in compensatory damages and \$0 in punitive damages.

7) Plaintiff requests payment of fees in the amount of \$5,000, which represents partial reimbursement for the time expended by Plaintiff's counsel in responding to Defendants' Motion.

8) Defendants do not oppose the relief requested herein.

Wherefore, Plaintiff respectfully requests that this Honorable Court enter an order directing Defendants to pay the sum of \$5,000 for reimbursement of fees incurred in connection with Defendants' Motion to Reduce Excessive Punitive Damages Award.

Respectfully submitted,

/s/ Margaret Schuetz Coleman
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